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551 FIFTH AVENUE
SUITE 1210
NEW YORK NY 10176

In Re Application of
Etienne ANNIC
Application No.: 10/540,953
PCT No.: PCT/FR03/03947
Int. Filing Date: 22 December 2003
Priority Date: 26 December 2002
Attorney Docket No.: 5284-61PUS
For: SYSTEM AND METHOD FOR RESOURCE
MANAGEMENT IN A TERMINAL CONNECTED TO A
COMMUNICATION NETWORK

DECISION

This is a decision on applicant's PETITION UNDER 37 CFR 1.181, requesting withdrawal of the Notification of Missing Requirements. The petition was filed in the United States Patent and Trademark Office (USPTO) on 22 May 2006.

On 22 December 2003, applicant filed international application No. PCT/FR03/03947 with an executed declaration under PCT Rule 4.17, which claimed a priority date of 26 December 2002 and which designated the United States. Thereafter, on 27 June 2005, before the expiration of the thirty month period, applicant filed, *inter alia*, a transmittal letter for entry into the national stage and the basic national stage filing fee.

On 30 December 2005, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicant indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), was required.

On 22 May 2006, applicant filed the instant petition indicating that the declaration was filed with the international application on 22 December 2003. Applicant urges that the Form PCT/DO/EO/905 be vacated.

DISCUSSION

A review of the international application, and by confirmation of the International Bureau, indicates that the executed declaration was filed in the Receiving Office with the filing of the international application on 22 December 2003.

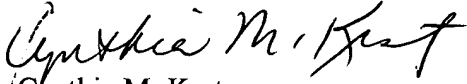
A review of the declaration reveals that the declaration identifies the inventor, and states the citizenship and mailing address of the inventor. Thus, the declaration is acceptable and the requirements of 37 CFR 1.497(a) and (b) are met.

CONCLUSION

The petition under 37 CFR 1.181 is **GRANTED**. The Notification of Missing Requirements (Form PCT/DO/EO/905) mailed on 30 December 2005 is hereby **VACATED**.

The declaration originally submitted on 22 December 2003 is acceptable and meets the requirements of 37 CFR 1.497(a) & (b).

The application will be forwarded to the United States Designated/Elected Office for further processing. The 35 U.S.C. 371(c)(1), (c)(2) & (c)(4) date is 27 June 2005.



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